

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY S. CLYDE, V84567,

Petitioner,

v.

MARION E. SPEARMAN, Warden,

Respondent.

Case No. [19-cv-06451-SK](#) (PR)

**ORDER OF TRANSFER**

Petitioner seeks federal habeas review of a conviction from Placer County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b).

Petitioner is incarcerated at High Desert State Prison in Lassen County, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see 28 U.S.C. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Placer County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter forthwith.

**IT IS SO ORDERED.**

Dated: October 15, 2019



SALLIE KIM  
United States Magistrate Judge